

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ALLAN PARMELEE,

Plaintiff,

v.

TONY DUNNINGTON, HARLAN
FINCH, DOUGLAS WADDINGTON,
RICHARD HAYWARD, SCOTT
RUSSELL, DANIEL WHITE, CPM
DAN VAN OGLE, MARCIA
SANCHEZ, ED HOSKINS, STEVE
RAMSEY, ELDON VAIL, and JOSEPH
GATCHELL,

Defendants.

NO. C11-5771 RBL/KLS

ORDER DENYING MOTION FOR
SERVICE BY MAIL AS MOOT

Before the Court is Plaintiff's renewed Motion for Service by Mail. ECF No. 67. Plaintiff seeks leave to serve his "first amended complaint, as now allowed by the Court's October 22, 2012 order. (Dkt. 66)." However, this Court's Order states that it is requiring Plaintiff to proceed on his original complaint (ECF No. 1, pp. 11-21). ECF No. 66, at 1.

The Defendants named in Plaintiff's original complaint removed this action to this Court and one week later filed their answer to the complaint. ECF No. 6. They raised no defense or issue regarding personal jurisdiction or adequacy of service. *Id.* Defendants confirm that they do not assert any such defense or issue now.

Therefore, Plaintiff's motion (ECF No. 67) is moot because the Defendants raise no issue in this case as to personal jurisdiction or adequacy of service of process.

1 Accordingly, it is **ORDERED**:

2 (1) Plaintiff's motion for service (ECF No. 67) is **DENIED as moot**.

3 (2) The Clerk shall send copies of this Order to Plaintiff and to counsel for
4 Defendants.

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6 **DATED** this 30th day of November, 2012.

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10 Karen L. Strombom
11 United States Magistrate Judge
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